

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

JAN 28 2015

Court Clerk, Clerk

UNITED STATES OF AMERICA

V.

Raul Arnoldo Munoz

A206 141 380

United States

PRINCIPAL

YOB: 1960

CRIMINAL COMPLAINT

Case Number:

M-15-0133 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 27, 2015 in Starr County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Eden Lopez-Ibarra, a citizen and national of the United Mexican States, who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said alien in furtherance of such violation of law within the United States, that is, from a location near Guerra, Texas to the point of arrest near Guerra, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On January 27, 2015, Border Patrol Agents working near San Ramon Road in Guerra, Texas, observed a GMC Sierra traveling north. The Border Patrol Agents followed the vehicle, and while doing so, they observed backpacks leaning against the toolbox in the bed of the truck. As they continued to follow the GMC Sierra, the truck drove over a bump in the caliche road, which caused two subjects to bounce up into the view of BPA Hernandez and Chavez. At this time, BPA Hernandez and Chavez believed the vehicle was transporting undocumented aliens, and activated their vehicle's emergency lights in order to conduct a vehicle stop. The vehicle then failed to yield for approximately three miles before it stopped at a gate, and that is when the occupants began to bail out of the vehicle.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

 Yes No



Signature of Complainant

Eduardo Cortez **Senior Patrol Agent**

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

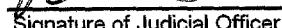
January 28, 2015

Date


at McAllen, Texas

City and State

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15-0133-M

RE: Raul Arnoldo Munoz

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CONTINUATION:

BPA Munoz and BPA Waters arrived to assist with the bail out, and observed two subjects exit from the passenger front door and one other subject from the driver's side door, who was later identified as Raul Arnoldo MUNOZ. BPA Munoz apprehended MUNOZ, and during the arrest, BPA Munoz noticed MUNOZ attempted to throw away a set of keys. The set of keys were recovered from MUNOZ, and were determined to be the keys to the GMC Sierra. MUNOZ, a United States citizen, was apprehended with three other subjects who were all citizens of Mexico, illegally in the United States. All subjects were then transported to the Hebbronville, Texas, Border Patrol Station for processing.

PRINCIPAL'S STATEMENT:

At the station, MUNOZ was read his rights and stated he was willing to provide a statement without the presence of an attorney.

MUNOZ stated that his Friend Leandro called him, and asked if he would mind helping his son transport undocumented aliens. MUNOZ agreed, and stated that he was to be paid \$100.00 to move undocumented aliens to the tower at the end of Javelina Road. At approximately 4:50 a.m., MUNOZ received a call from Leandro's son saying they were ready to be picked up. MUNOZ said after he picked up the group he drove for about 8 minutes when the Border Patrol activated their lights. He stated he continued to drive for another 3 miles while looking for a place where he could bring the vehicle to stop, and give them a chance to run.

MUNOZ is currently on probation for a previous alien smuggling charge.

MATERIAL WITNESS STATEMENT:

The material witness was read his rights, and stated he was willing to provide a statement without the presence of an attorney.

Eden LOPEZ-Ibarra, a citizen and national of Mexico, stated he illegally crossed the Rio Grande River near Roma, Texas, around 8:00 p.m. on January 26, 2015. He stated they then walked in the brush until they were picked up by the GMC Sierra. Once in the GMC Sierra, they rode for approximately ten minutes at which time he saw blue lights behind the truck. After a few more minutes, the truck stopped, and everyone ran. Lopez was apprehended by a Border Patrol Agent as he exited the bed of the truck. LOPEZ stated he could not identify the driver of the truck because it was dark and he could not see inside the truck. LOPEZ went on to say that the man wearing blue jeans and a camouflage shirt (MUNOZ) was not part of their group that walked in the brush.